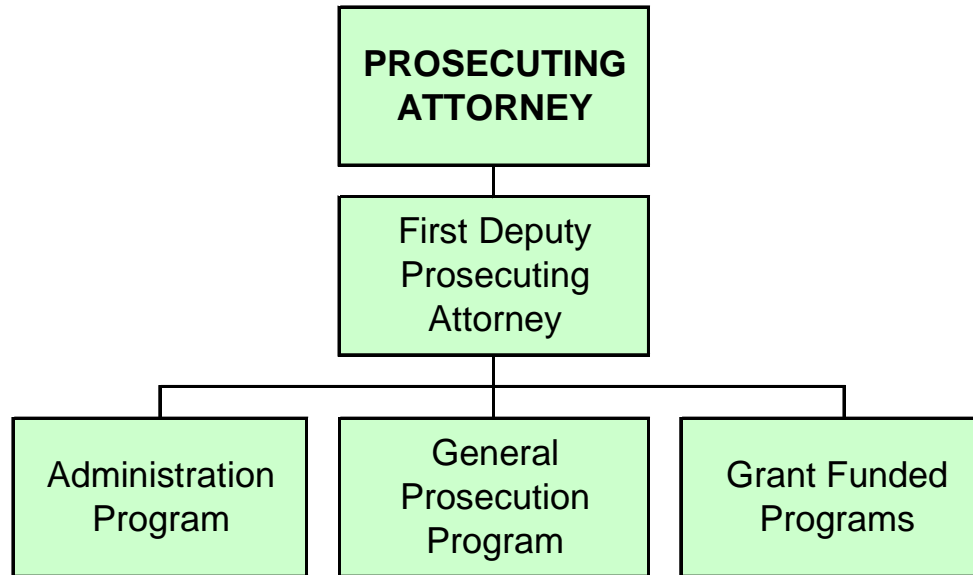


DEPARTMENT OF THE PROSECUTING ATTORNEY

Departmental Organization Chart



DEPARTMENT OF THE PROSECUTING ATTORNEY

Department Summary

Mission Statement:

To seek justice through dedication, fairness and compassion.

Department Goal:

Rotate 50% of eligible staff within the next five (5) years.

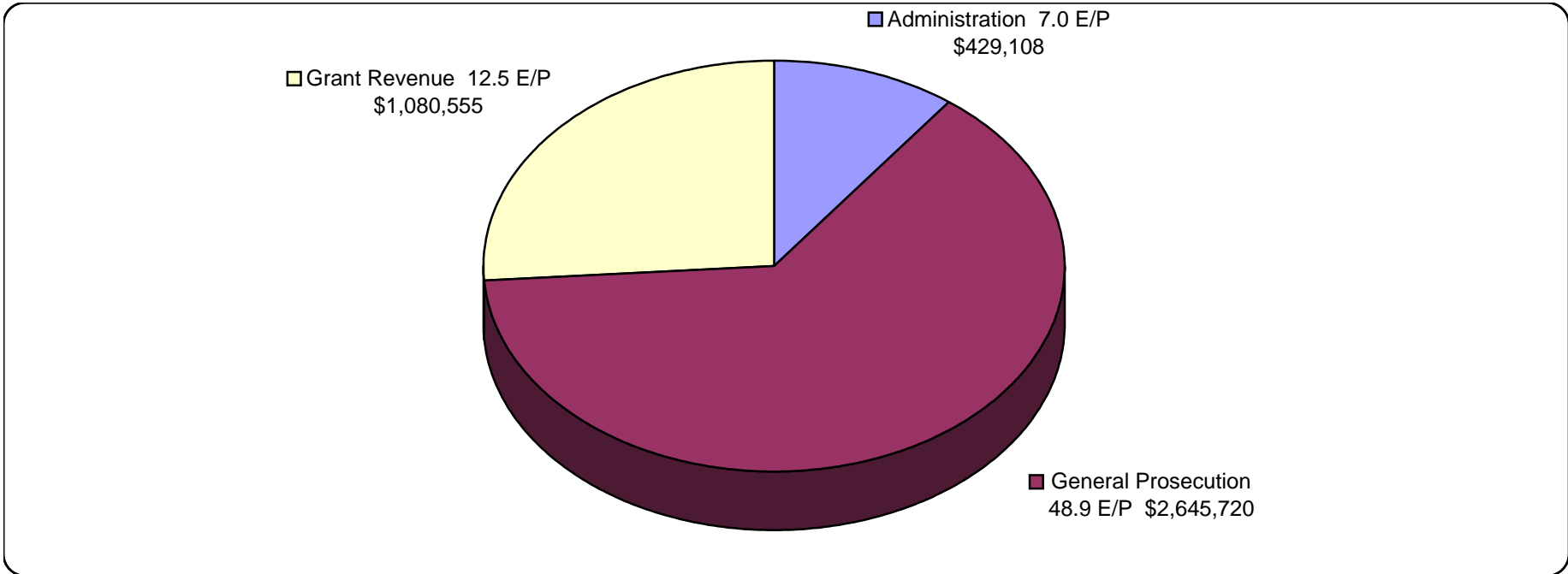
Department Revenues and Expenditures:

	<u>General Fund</u>	<u>Bond Fund</u>	<u>Federal Funds</u>	<u>State Funds</u>	<u>Lapsed Bond</u>	<u>Park Assessment</u>	<u>Grant Revenue</u>	<u>Total</u>
<u>Revenues</u>								
Total Revenues	\$ 3,074,828	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,080,555	\$ 4,155,383
<u>Expenditures</u>								
Administration	\$ 429,108	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 429,108
General Prosecution	2,645,720	0	0	0	0	0	0	2,645,720
Grant Revenue	0	0	0	0	0	0	1,080,555	1,080,555
Total Expenditures	\$ 3,074,828	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,080,555	\$ 4,155,383

DEPARTMENT OF THE PROSECUTING ATTORNEY

Department Summary

FY 2004 Budget by Program



General Fund:	\$	3,074,828	General Fund E/P:	55.9
Grant Revenue:	\$	1,080,555	Grant Revenue E/P:	12.5
TOTAL BUDGET:	\$	4,155,383	TOTAL EQUIVALENT PERSONNEL:	68.4

DEPARTMENT OF THE PROSECUTING ATTORNEY

Administration

Program Description:

The Prosecuting Attorney's Administration program (1) provides supervision and training to department staff and (2) coordinates and directs implementation of Department goals and objectives.

Program Resources - General Fund:

Expense Type	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004		
	Actual	Actual	Actual	Appropriation	Request	Expansion	Total
Equivalent Personnel E/P	7.0	7.0	7.0	7.0	7.0	0.0	7.0
Salaries and Wages	\$ 349,643	\$ 354,995	\$ 386,241	\$ 399,655	\$ 405,455	0	\$ 405,455
Operations	104,898	103,511	100,332	105,307	23,653	0	23,653
Equipment	0	731	895	0	0	0	0
Program Total	\$ 454,541	\$ 459,237	\$ 487,468	\$ 504,962	\$ 429,108	0	\$ 429,108

Program Highlights:

Continuing professional development is encouraged by the Department Administration Program. Deputy Prosecuting Attorneys have attended cutting edge courses at the National District Attorneys Association National, Advocacy Center including Cyberstalking, *The Prosecutor's Role in the War on Terrorism*, and *Trying the Cybercase*. The Prosecuting Attorney participated in a three day conference addressing the special needs of incarcerated women.

DEPARTMENT OF THE PROSECUTING ATTORNEY

General Prosecution/Grants

Program Description:

The General Prosecution program maintains a team including attorneys, investigators, counselors and legal support staff to respond in an effective and timely manner to the desire of the public for a just and timely disposition of criminal cases.

Goals and Activities:

Goal	Rotate 50% of eligible staff within the next five (5) years.				
Completion Date	FY 2007				
Objective of Activity	Division	Activity	Activity Output	Grant Funded	Grant Amount
Have a well-trained staff.	General Prosecution	Process criminal cases.	Number of cases not prosecuted. Number of cases charged.	N	
		Collect data. Compile statistics.	Number of cases pending for Circuit, District, Family-Adult, Family-Juvenile.	N	
			Number of appeals handled.		
			Number of cases received.		
			Number of investigative assignments.		
Continually improve morale by preventing burnout and provide advancement opportunities.	General Prosecution	Create an evaluation criterion.	Number of evaluations completed.	N	
		Conduct performance evaluations and implement in a timely fashion.			
		Locate, provide and ensure appropriate trainings for staff.	Number of trainings. Number of staff attended.		
Have a well-trained staff.	Career Criminal	Process criminal cases.	Number of cases not prosecuted. Number of cases charged.	Y	\$ *342,183 Total Career Criminal grant
		Collect data. Compile statistics.	Number of cases pending for Circuit, District, Family-Adult, Number of appeals handled. Number of cases received. Number of investigative assignments.	Y	* included in total Career Criminal grant

DEPARTMENT OF THE PROSECUTING ATTORNEY

General Prosecution/Grants

Goals and Activities (Continued):

Objective of Activity	Division	Activity	Activity Output	Grant Funded	Grant Amount
Continually improve morale by preventing burnout and provide advancement opportunities.	Career Criminal	Create an evaluation criterion.	Number of evaluations completed.	Y	* included in total Career Criminal grant
		Conduct performance evaluations and implement in a timely fashion.			
		Locate, provide and ensure appropriate trainings for staff.	Number of trainings. Number of staff attended.	Y	* included in total Career Criminal grant
Have a well-trained staff.	Domestic Violence	Conduct investigations in domestic violence cases.	Number of investigative assignments.	Y	\$ 60,891
Continually improve morale by preventing burnout and provide advancement opportunities.	Domestic Violence	Create an evaluation criterion.	Number of evaluations completed.	Y	
		Conduct performance evaluations and implement in a timely fashion.			
		Locate, provide and ensure appropriate trainings for staff.	Number of trainings. Number of staff attended.		
Have a well-trained staff.	Victim/ Witness Assistance	Assist victims and witnesses in criminal cases.	Number of victims/witnesses contacted.	Y	\$ 351,047
Continually improve morale by preventing burnout and provide advancement opportunities.	Victim/ Witness Assistance	Create an evaluation criterion.	Number of evaluations completed.	Y	
		Conduct performance evaluations and implement in a timely fashion.			
		Locate, provide and ensure appropriate trainings for staff.	Number of trainings. Number of staff attended.		

DEPARTMENT OF THE PROSECUTING ATTORNEY

Program Resources - General Fund:

Expense Type	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004		
	Actual	Actual	Actual	Appropriation	Request	Expansion	Total
Equivalent Personnel E/P	48.3	48.3	49.3	49.3	48.9	0.0	48.9
Salaries and Wages	\$ 2,035,129	\$ 2,119,216	\$ 2,209,132	\$ 2,404,936	\$ 2,446,684	\$ 0	\$ 2,446,684
Operations	86,428	99,226	126,648	183,036	183,036	0	183,036
Equipment	85,323	10,144	31,400	16,000	16,000	0	16,000
Program Total	\$ 2,206,880	\$ 2,228,586	\$ 2,367,180	\$ 2,603,972	\$ 2,645,720	\$ 0	\$ 2,645,720

Program Resources - Grant Revenue:

Expense Type	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004		
	Actual	Actual	Actual	Appropriation	Request	Expansion	Total
Equivalent Personnel E/P	13.0	13.0	13.5	13.5	12.5	0.0	12.5
Salaries and Wages	\$ 487,570	\$ 456,093	\$ 551,649	\$ 585,724	\$ 583,572	\$ 0	\$ 583,572
Operations	480,923	387,175	304,394	557,777	496,983	0	496,983
Equipment	0	0	0	0	0	0	0
Program Total	\$ 968,493	\$ 843,268	\$ 856,043	\$ 1,143,501	\$ 1,080,555	\$ 0	\$ 1,080,555

Program Highlights:

The Department is active in the statewide and local law enforcement community, sending representatives to organizations, coalitions and task forces assembled for a variety of law enforcement purposes. These included the Committee on Pattern Criminal Jury Instructions, Committee on Rules of Penal Procedure and Circuit Court Rules, Children's Advocacy Center Investigative Team, Children's Justice Center Inter-agency Committee, Children's Justice Center Investigative Team, Traffic Safety Council, Hawaii Prosecuting Attorneys Association, Law Enforcement Coalition, Governor's Committee on Crime, Hawaii State Law Enforcement Officials Association, Offender Based Transaction Statistics/Computerized Criminal History Executive Policy Committee, Domestic Violence Task Force, Violence Against Women Task Force, Maui County Children's' Committee, Icebreakers, Juvenile Justice Information System, DUI Task Force, Traffic Safety Council, the Full Faith and Credit Task Force, Coalition to End Abuse, Maui Restorative Justice group, Maui Child Death Review Team, Maui Police Department Positive Outreach Intervention Program, Care - Women Offenders' Project Comprehensive Strategy and Maui Drug Court Steering Committee.

During the past fiscal year, Department Investigators participated in the *Critical Incident Stress Management Conference*, addressing the consequences and service provision to victims of possible terrorist activities and natural disasters.

Clerical staff and Attorneys took advantage of computer training to upgrade their skills in word processing and research.

General Prosecution

Program Highlights (Continued):

The Department participated in a new initiative to reduce gun crime through Project Safe Neighborhoods. Under Project Safe Neighborhoods, two Department Deputy Prosecuting Attorneys are appointed as United States Attorneys. Through this program, they take advantage of strategic partnerships between federal, state and local law enforcement agencies in an intensive offensive against gun crime. Cases involving weapons and drugs will be prosecuted under federal statutes, with a local prosecutor acting as a Special Assistant United States Attorney, providing the prosecutor's office with a big stick to address gun crimes typically linked with drug offenses.

A Circuit Court Deputy Prosecuting Attorney continues as the drug court attorney and assisted on the Steering Committee for the Drug Court Program. One other Deputy Prosecuting Attorney was trained in Drug Court procedures, providing professional depth and backup for the Circuit Court attorney appearing for the Prosecutor's Office.

Career Criminal Prosecution Program

The purpose of this State mandated special revenue program is to quickly identify, prosecute and convict those persons who are habitual offenders or who make a career of crime. The more experienced and highly skilled attorneys handle these cases, seeking maximum sentencing and increased bail.

Priority was given to violent crimes, class A felonies, and sexual and physical abuse of children. Funding for this program is applied for by the department, appropriated by the Hawaii State Legislature and administered by the Crime Prevention and Justice Assistance Division of the Hawaii Department of the Attorney General.

Victim/Witness Assistance Program and Special Needs Advocacy Program

These programs concentrate resources to assist victims of major violent crimes with crisis and support counseling, advocacy, social referral, case information, court testimony preparation and accompaniment. The victims served, including residents and visitors, are primarily those impacted by serious felony offenses such as homicide, negligent homicide, sexual assault, child abuse and domestic violence.

The Victim Witness Counselors in these two programs, together with the Coalition to End Abuse, presented two workshops in November 2001 and April 2002 entitled "A Walk Through the Maze of the Criminal Justice System". Panel members from different public agencies discussed their roles to an audience of public and private service providers and clergy people. During Victims' Rights Week, in April 2002, the program honored several professionals and business people who have gone above and beyond their call of duty in providing services to crime victims. Several educational presentations were made to civic clubs, community organizations and churches. The Victim Witness personnel continue to be involved in Restorative Justice activities on Maui. During the year, program employees were selected as the Department's Team of the Year. When the State threatened to cut funding for this program by 65%, countless phone calls and letters from the public deluged the State legislature in protest.

Asset Forfeiture

The Asset Forfeiture program provides the police with legal support in seizing assets used in or obtained as a result of crimes identified in Hawaii's asset forfeiture law. Once assets are seized, forfeiture action is initiated with the Department of the Attorney General. The value of assets in State forfeiture actions returned to the Department is determined by the State of Hawaii Department of the Hawaii Attorney General and divided among participating agencies. Generally, 50% goes to the Attorney General's office, 25% to Police and 25% to prosecutors. Federal forfeiture action may result in a return to the Department of up to 15% of the value of a seized asset. Proceeds from this program may be used according to Federal and State guidelines to supplement law enforcement efforts.

DEPARTMENT OF THE PROSECUTING ATTORNEY

General Prosecution

Program Highlights (Continued):

During the past fiscal year, forfeited items included firearms, currency, vehicles, video cameras and other surveillance equipment. Cases included drugs, firearms violations, gambling and other enumerated offenses. Forfeiture continues to be an effective tool to get to law violators in their pocket book.

Food Stamp Fraud Program

Fully investigated cases of food stamp fraud, occurring within the boundaries of Maui County, are referred to the Department for prosecution by the State Department of Human Services. Reimbursement for salaries is then requested from the State for each attorney's time spent in prosecuting such cases.

Total food stamp overpayments for the fiscal year 2002 was \$143,238.

Local Law Enforcement Block Grant

This federal funding may be used for expenses related to seven law enforcement purpose areas including salaries, equipment and crime prevention.

This year's grant was used to subsidize the salary of a Deputy Prosecuting Attorney in the Career Criminal Prosecution Program due to shortfalls in State funding for this State mandated program.

Domestic Violence Investigations

Domestic Violence cases are made stronger by prompt and efficient investigative follow-up. This federally funded program provides the salary of an Investigator assigned to provide follow-up services full time to attorneys prosecuting these type of cases. Examples of follow-up services provided include obtaining victim voluntary statements, medical releases, photographic evidence and copies of "911" tapes.

The program Investigator has teamed up with the Department of Victim Witness Counselors, thus bringing the skills of both to support victims desire for prosecution.

Defendant/Witness Trial

State and Federal programs supplement the Department budget by reimbursing certain expenses supporting prosecution.

Training

State, Federal and privately funded agencies supplement the Department budget by providing financial assistance for training purposes.

The federal Violence Against Women Act sponsored an Infrared Videography training for the department personnel, police, non-profit service providers, and medical personnel. This training, presented in conjunction with the Maui Police Department, explained the use of infrared video technology as applied to the detection of sub-cutaneous trauma, normally not visible to the naked eye. This technology has proven useful in providing substantiating evidence in cases of domestic violence.

DEPARTMENT OF THE PROSECUTING ATTORNEY

General Prosecution

Performance Measures:

	FY 2002	FY 2003	FY 2003
	Actual	Estimate	1st Qtr
Counts dismissed	3,094	3,094	829
Percentage of total counts	16%	16%	11%
Counts charged	13,235	13,235	3,713
Percentage of total counts	68%	68%	48%
Counts pending	3,090	3,090	3,133
Percentage of total counts	16%	16%	41%

DEPARTMENT OF THE PROSECUTING ATTORNEY

Personnel Position Summary

Position	FY 02 E/P Appropriated	FY 03 E/P Appropriated	FY 04 E/P Request
Prosecuting Attorney	1.0	1.0	1.0
First Deputy Prosecuting Attorney	1.0	1.0	1.0
Account Clerk III	1.0	1.0	1.0
Administrative Officer I	1.0	1.0	1.0
Clerk Typist II	0.5	0.5	0.5
Clerk Typist III	0.0	1.0	1.0
Deputy Prosecuting Attorney	26.0	25.0	25.0
Investigator III	2.0	2.0	0.0
Investigator V	3.0	4.0	4.0
Law Clerk	0.3	0.3	0.9
Law Office Manager	1.0	1.0	1.0
Law Technician I	6.0	5.0	5.0
Law Technician II	3.0	3.0	3.0
Legal Clerk I	1.0	1.0	1.0
Legal Clerk II	1.0	1.0	1.0
Legal Clerk III	9.0	8.0	9.0
Legal Clerk IV	1.0	4.0	4.0
Secretary I	1.0	2.0	1.0
Supervising Legal Clerk	4.0	1.0	1.0
Supervisory Law Technician	1.0	1.0	1.0
Victim Witness Counselor I	1.0	1.0	1.0
Victim Witness Counselor II	1.0	4.0	4.0
Victim Witness Director	4.0	1.0	1.0
TOTAL	69.8	69.8	68.4

Equivalent Personnel (E/P) = Full-time equivalents of full- and part-time personnel.